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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,269	09/15/2003	Michael L. Rudd	10010047-1	9020

7590 02/26/2007  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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TO, TUAN C

ART UNIT	PAPER NUMBER
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3663

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/662,269

Applicant(s)

RUDD ET AL.

Examiner

Tuan C. To

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-7,10-12,15,16,19,20 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7 and 26 is/are rejected.
- 7) ☒ Claim(s) 10-12,15,16,19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

The indicated allowability of claims 1, 4-7, 10-12, 15, 16, 19, 20, and 26 is withdrawn in view of the newly discovered reference(s) to Lemelson et al. (US 5731785A). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 4-7, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al. (US 5731785A) and in view of Bullock et al. (US 5448484A).

Regarding claims 1, and 6, Lemelson et al. discloses a service system for providing information to a user, comprising: a first identification device (10) (Lemelson et al., figure 1, remote security location device 10), wherein said device comprises a locator and a transmitter (Lemelson et al., figure 3; column 3, lines 5-30), the device (10) further stores identification information such as PIN in the memory of the device (10) (Lemelson et al, column 6, lines 10-24), the device (10) configured to transmit the location information and the identification information to the base station monitoring station (35) (Lemelson et al, figure 3). The base station monitoring station (35) communicates with the device (10) in two-way communications (Lemelson et al., column 3, lines 8-12) to receive the location information and the identification information such as PIN from the device (10) (Lemelson et al., column 4, lines 38-56). Lemelson et al. further includes a television camera (28) (Lemelson et al., column 7, line 50) as an image capturing device.

Lemelson et al. does not that the television camera (28) is implemented as an image capturing device that is used to acquire image data corresponding to a designated location, image capturing device being independently located with respect to the first identification device and operative to acquire image data corresponding to a current location of the first identification device responsive to determining that the first identification device is located at the designated location.

Bullock et al. has been provided to overcome the missing features from Lemelson et al. by teaching another service system in which the surveillance camera (12) is used to capture the image data corresponding to the location of the vehicle (26) in the detection zone (24) (Bullock et al., figure 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system as taught by Lemelson et al. to include the teachings of Bullock et al. so that the stream of the traffic can be periodically reported to a control center.

As to claim 4 and 5, Bullock et al. further teaches a video monitor (17), said monitor displays image data corresponding to the location of the first identification device to the first user.

As to claim 7, Lemelson et al. further teaches a radio transceiver (6) configured to receive information associated with the location device (10) and the identification information corresponding to the first user (PIN).

As to claim 26, the camera (12), as taught in Bullock et al., is implement to capture the image data corresponding to the location of the vehicle (26). It should be noted that the vehicle (26) is capable to carry an identification device. Thus, if the camera (12) capture the image data of the vehicle (26) corresponding to the location of the vehicle (26), the camera (12) should also capture the image data corresponding to the location of said the identification device carried by the vehicle (26).

***Allowable Subject Matter***

After carefully updated the prior search, the examiner has found the found the prior art fail to disclose the limitations recited in claims 10-12, 15, 16, 19, and 20, thus they are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

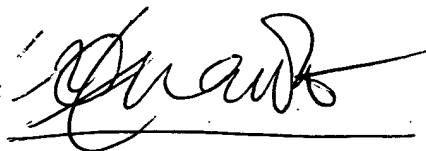
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

February 22, 2007